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10/053,303

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06/08/2007

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EXAMINER

ZECHER, MICHAEL R

ART UNIT

PAPER NUMBER

3609

MAIL DATE

DELIVERY MODE

06/08/2007

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/053,303

**Applicant(s)**

LEE ET AL.

**Examiner**

Michael R. Zecher

**Art Unit**

3609

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4/26/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

Art Unit: 3609

**DETAILED ACTION**

1. The following is a final Office action on the merits. Amended Claims 1, 6, 8, 13, 15, and 20 were entered on April 26, 2007. Claims 1-21 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent et al (U.S. 6,839,687), and further in view of Hilt et al. (U.S. 6,032,133).

**As per claim 1**, Dent et al. teaches a system for performing personal finance management using the internet, the system comprising:

“means for collection billing information data from each of the EBPP servers, said billing information data including an amount to be paid and payment due date” (See figure 1, #24 & #26, which distributes billing statement via a service center over a network);

“means for presenting a payment-schedule based on said bank account information data and said billing information data” (See figure 2, #48, subsections #52, #54, and #56, specifically #54, which assesses how paying bills will impact the consumer's cashflow);

“means for enabling the user to select how and when to pay the bills and forwarding said user's selection on the payment to the bank server for actual

Art Unit: 3609

transaction" (See figure 2, #48, and column 5, line 57 through column 6, line 13, which discuss how bills are managed, including enabling actual payment).

However, Dent et al. does not expressly disclose "means for automatically obtaining a user's bank account information data from the bank server via a connection to the bank server according to user preference setting."

Hilt et al. discloses an electronic bill payment system which allows users to pay requisite amounts to merchants for amounts owed (See column 1, lines 7-13, which discusses an electronic bill payment system which allows consumers to direct payment of amounts owed to merchants, service providers, and other billers who bill consumers for amounts owed).

Both Dent et al. and Hilt et al. disclose a method and system that seek to use an electronic bill pay system. Hilt et al. expressly discloses a bill pay system where a user's bank account information is automatically obtained from a financial institution based upon a pre-authorization message. (See figure 3, and column 9, lines 32-55, which illustrate and discuss obtaining a user's financial information based upon pre-authorization). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dent et al. to included automated retrieval of account information based on pre-authorization, such as user preference settings, as taught by Hilt et al. in order to provide an efficient means of paying bills.

**As per claim 2**, Dent et. al. teaches that "user's selection on the payment can be an immediate account transfer, a reserved account transfer, and automatic account transfer or transfer cancellation of the amount to be paid, from the user's bank account"

Art Unit: 3609

(See payment analyzer, figure 2, #56, which allows selection of payment depending on the schedule chosen; specifically column 9 & 10, steps 1-6 which discuss viable options if the payment schedule results in a negative balance).

**As per claim 3**, Dent et al. teaches the “means for calculating and presenting an estimated account balance on the payment due date, in advance, assuming that said amount to be paid is transferred from the user’s bank account on the payment due date” (See cashflow analyzer in figure 2, #54, and payment analyzer in figure 2, #56, which calculate and estimate account balance).

**As per claim 4**, Dent et al. teaches the “payment-schedule can be displayed on a daily basis, weekly basis, or monthly-basis” (See payment analyzer in figure 2, #56, and column 3, lines 24-30, which coordinates different payment schedules for a bill payment cycle (e.g. a month)).

**As per claim 5**, Dent et al. teaches a system and method for performing personal finance management using the internet (See consumer interface unit, figure 1, #28 (1-n), subsection cashflow analyzer, #24, #26, Figure 2, #48, subsections #52, #54, #56 which contain user’s bank account information, distributes billing statements via a service center over a network, asses how paying bills will impact the consumer’s cashflow, and enables user to manage payment of electronic bills).

However, Dent et al. does not expressly disclose a “means for presenting the payment result received from the bank server to the user.”

Both Dent et al. and Hilt et al. disclose a method and system that seek to use an electronic bill pay system. Hilt et al. expressly discloses a means for notifying the user

Art Unit: 3609

of a payment result via a confirmation receipt (See Figure 2, #66 which discloses a confirmation receipt sent to the consumer following the payment of a bill). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a means of notifying the user of an electronic bill pay method or system that the payment result was confirmed. (See Hilt, Figure 2, #66 and column 6, line 50, which portray and discuss the material passing among participants of an electronic bill pay system).

**As per claim 6**, Dent et al. teaches the means for collecting billing information data comprising (See Figure 1 #22 and #24, and column 4, line 54, which portrays and discusses a biller computing unit):

“means for storing user identification information data for each of the EBPP servers” (See figure 2 #48, and column 5, lines 57-67, bill management unit which portrays and discusses, respectively, bill handling and management functions, including receiving and storing electronic bill information);

“means for requesting billing information data to each of the EBPP servers using said stored user identification information” (See figure 2 #48, and column 6, lines 34-43, which discusses the notification technique of launching the PFM application);

“means for storing the billing information received from said each of the EBPP servers” (See figure 2 #48, and column 5, lines 57-67, bill management unit which portrays and discusses, respectively, bill handling and management functions, including receiving and storing billing information).

Art Unit: 3609

**As per claim 7**, which includes the “means for alerting the user when said estimated account balance is less than zero” (See cashflow analyzer in figure 2, #54, and payment analyzer in figure 2, #56, which calculate and estimate account balance; specifically column 9 & 10, steps 1-6 which discuss how the cashflow analyzer optimizes a payment schedule if the result would be a negative balance).

**Claims 8 and 15** recite equivalent limitations to claim 1 and are therefore rejected using the same art and rationale as set forth above.

**Claims 9 and 16** recite the equivalent limitations in claim 2 and are therefore rejected using the same art and rationale as set forth above.

**Claims 10 and 17** recite the equivalent limitations in claim 3 and are therefore rejected using the same art and rationale as set forth above.

**Claims 11 and 18** recite the equivalent limitations in claim 4 and are therefore rejected using the same art and rationale as set forth above.

**Claims 12 and 19** recite equivalent limitations in claim 5 and are therefore rejected using the same art and rationale as set forth above.

**Claims 13 and 20** recite equivalent limitations in claim 6 and are therefore rejected using the same art and rationale as set forth above.

**Claims 14 and 21** recite the equivalent limitations in claim 7 and are therefore rejected using the same art and rationale as set forth above.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 8, and 15 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3609

5. Applicant argues that Dent et al. does not disclose a "means for storing user identification information data for each of the EBPP servers" and a "means for requesting billing information data to each of the EBPP servers using said stored user identification information." Examiner respectfully disagrees. Dent et al. discloses a bill management application that corresponds with a consumer's personal finance management (PFM) software. The PFM software can be a separate or integrated component. In order for the EBPP servers to correlate bills with respective users, a identification system must be in place to associate each bill with the correct user. It is inherent from the disclosure in figure 2, #48, column 5, lines 57-67, and column 6, lines 34-43, that the PFM software functions in correlation with the bill management application to store user identification information for assigning the correct billing information with the correct user. Hence, the correct PFM application cannot be launched unless it is first appropriately identified.

Applicant's argument is not found to be persuasive, therefore, the rejection of claims 6, 13, and 20 stands.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within




Art Unit: 3609

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Zecher whose telephone number is 571-270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on 571-270-3033. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
LYNDA JASMIN  
SUPERVISORY PATENT EXAMINER